

Docket No. 200-89

Appln. No. 10/773,648
Amendment
Reply to Final Office Action dated June 27, 2005

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated June 27, 2005. This amendment is filed with a Request for Retroactive Extension of Time and authorization to charge Deposit Account No. 50-0951 for the appropriate fees.

At the time of the Office Action, claims 1-9, 12 and 13 were pending in the application. In the Office Action, new corrected drawings in compliance with 37 CFR 1.121(d) were required. Claims 1-9, 12 and 13 were rejected under 35 U.S.C. §112, second paragraph. Claims 1-4, 6 and 12 were rejected under 35 U.S.C. §103(a). Claims 5, 7-9 and 13 were indicated to be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph. The objections and rejections are discussed in more detail below.

I. Objections to the Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) were required because the Office Action asserted applicant has not disclosed how the drawings are connected to each other. Applicant notes that the figures in the drawings are not connected to each other, but are in fact separate figures. It is believed that the corrected drawings as filed in response to the previous Office Action are clear, and that no new corrected drawings are necessary. For the foregoing reasons, withdrawal of all the drawing objections is respectfully requested.

II. Rejections under 35 U.S.C. §112, second paragraph

Claims 1-9, 12 and 13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the phrase "so as" was asserted to render the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. Appropriate amendments are made to the claims herein, and withdrawal of this rejection is respectfully requested.

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III. Claim Rejections on Art

Claims 1-4, 6 and 12 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,924,668 to Garrido ("Garrido") in view of U.S. Patent No. 5,282,523 to Mueller ("Mueller").

Applicant notes that the stop disk 38 of the present application does not provide for an antirotation lock. This disc does not prevent the rotation of the spindle nut. Fig. 1 of the application and the corresponding description relating to the stop disk 38, see paragraphs [0019], [0034] and [0035], of the application show that the stop disk rotates with the spindle nut 24. The stop disk 38 is a washer (see paragraph [0019]), having a projection 40. The stop disk 38 differs from a simple washer only insofar as it has the projection 40 and due to this projection the stop disk cannot freely rotate relative to the spindle nut 24 as a simple washer would do. The stop disk 38 provides a PTFE (= very low friction) radial surface for the spindle nut 24 and facilitates rotation of the spindle nut by reducing friction between disc 38 and bearing shell 42.

Mueller shows (in Fig. 5) a guide rail 62 which is fixed to the support housing 11 and also serves as a reaction point for stopping forces transmitted through threaded member 52 (=spindle nut). This guide rail 62 prevents the threaded member 52 from rotating with the threaded shaft, see col. 4, lines 65 to col. 5, line 1. Applicant notes that the disc 38 of the present application rotates with the spindle nut 24 and does not have a function comparable to the guide rail 62 of Mueller. The anti-rotation projection 40 of the present application does not "support the housing mechanism" at all. Thus, a combination of Garrido and Mueller does not teach or suggest all of the limitations of claims 1-4, 6 and 12, and these claims are believed to be in condition for allowance. Withdrawal of the rejection is respectfully requested.

IV. Allowable Subject Matter

Claims 5, 7-9 and 13 were indicated to be allowable if rewritten or amended to overcome the 35 U.S.C. §112 rejection.

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V. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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J. Rodman Steele, Jr.
Registration No. 25,931
Mark D. Passler
Registration No. 40,764
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

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